

Filed for intro on 02/04/98
HOUSE BILL 3261 By
Sands

SENATE BILL 3273
By Jordan

AN ACT to amend Tennessee Code Annotated, Title 7, relative to the establishment of independent districts to manage and finance basic community development services.

WHEREAS, the legislature finds that there is a need for uniform and fair procedures to provide for a reasonable alternative for the establishment, power, operation, and duration of independent districts to manage and finance basic community development services; and that, based upon proper and fair determination of applicable facts, an independent district can constitute a timely, effective, and economic way to deliver these basic services, thereby providing a solution to the state's planning, management, and financing needs for the delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers; and

WHEREAS, it is in the public interest that long-range planning, management, and financing and long-term maintenance, upkeep, and operation of basic services for community development districts be under one coordinated entity; and

WHEREAS, independent districts are a legitimate alternative method available for use by the private and public sectors to manage and finance basic services for community developments; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, is amended by adding Sections 2 through 4 of this act and by creating a new chapter.

10000000

10000000

011400

01140095

SECTION 2. This act may be known as the “Uniform Community Development District Act of 1998”.

SECTION 3. It is the intent and purpose of this act to authorize the formation of community development districts by the unanimous approval of the owners of real property located in the territory to be included in the district.

SECTION 4. If the petition for formation of a district provides therefor or the owners of real property in the district agree thereto, a district shall not cease to exist upon the acquiring, construction, or completion of the improvement, but shall continue to exist for the purpose of preserving, maintaining, and operating the improvement.

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.